

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>EUGENE SCALIA,<sup>1</sup></b>	)	
<b>Secretary of Labor,</b>	)	
<b>United States Department of Labor,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 4:18-cv-00381-HFS</b>
	)	
<b>LOCAL 41, INTERNATIONAL</b>	)	
<b>BROTHERHOOD OF TEAMSTERS,</b>	)	
	)	
<b>Defendant.</b>	)	

**PARTIES' JOINT STATUS REPORT**

The parties hereby submit this joint status report, as required by the Court's Summary Judgment Order (Doc. 24).

Since the Court's Order, the parties have been negotiating ways to conduct the election that the Court ordered Defendant to rerun, under the supervision of the Secretary of Labor. Unfortunately, the COVID-19 pandemic has hampered the parties' ability to conduct the supervised election. Specifically, Defendant is limited in its ability to hold the meetings needed to inform the membership about the new election and call for nominations because of social-distancing restrictions imposed by state and local governments. These restrictions will block members from observing election functions from occurring as well.

These restrictions may continue for some time, with some predicting that social-distancing measures will need to continue into June. As such, the parties agree that it is in the parties' best interests for the Department of Labor to supervise Defendant's next regularly

---

<sup>1</sup> Because the Secretary of Labor has changed since this case first began, the caption reflects the current Secretary of Labor. *See Fed. R. Civ. P. 25(d).*

scheduled election in the fall of 2020. The parties agree to schedule the pre-election conference in August 2020, a meeting critical to developing the rules/procedures and establishing timeframes for conducting the supervised election.

The parties believe that holding the supervised election when the next regularly scheduled election occurs is the safest arrangement under these circumstances. The parties will provide a status report to the Court in August 2020. The parties understand that the Court will retain jurisdiction of this matter under 29 U.S.C. § 482(c)(2).

Dated: April 10, 2020

Respectfully submitted,

**BLAKE & UHLIG, PA**

/s/Nathan Kakazu

Nathan Kakazu, MO Bar No. 70157  
Scott L. Brown, MO Bar No. 53154  
753 State Avenue, Suite 475  
Kansas City, Kansas 66101  
(913) 321-8884  
(913) 321-2396 ó Fax  
nak@blake-uhlig.com  
slb@blake-uhlig.com  
**Attorneys for Defendant**

**TIMOTHY A. GARRISON**  
**UNITED STATES ATTORNEY**

/s/ Jeffrey P. Ray

Jeffrey P. Ray, MO Bar No. 35632  
Deputy U.S. Attorney  
Charles Evans Whittaker Courthouse  
U.S. Attorney's Office  
400 East Ninth St., Room 5510  
Kansas City, Missouri 64105  
(816) 426-3130  
(816) 426-3165  
[Jeffrey.ray@usdoj.gov](mailto:Jeffrey.ray@usdoj.gov)  
**Attorney for Plaintiff**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which automatically sent notification of such filing to the following to all participants in the Court's CM/ECF system.

/s/Nathan Kakazu \_\_\_\_\_